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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,897	08/11/2004	John M. Tiesler	04966 (LC 0163 PUS)	4896
36014	7590	07/06/2006	EXAMINER	
ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			FIGUEROA, FELIX O	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 07/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	10/710,897		TIESLER ET AL.	
	<b>Examiner</b>		<b>Art Unit</b>	
	Felix O. Figueroa		2833	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 June 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6-14, 16-18 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-14, 16-18 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/05/2006 has been entered.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6, 7, 12, 14, 16-18, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Dutta (US 5,599,086).

Dutta discloses vehicle overhead module powerstrip assembly comprising: at least one overhead attachment strip (18) configured to couple to a vehicle overhead structure; at least one electrically conductive strip (50) coupled to the at least one attachment strip; and a plurality of modular connector (at 54,56, see col. 2 lines 55-57), each comprising a plurality of electrical contacts having a plurality of attachment positions (Fig.1) along the at least one electrically conductive strip, the plurality of modular connector removable from the conductive strip (col.4 lines 28-29), positioned

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interchangeable with each other, and configured to couple an overhead electronic module (24) to the at least one electrically conductive strip.

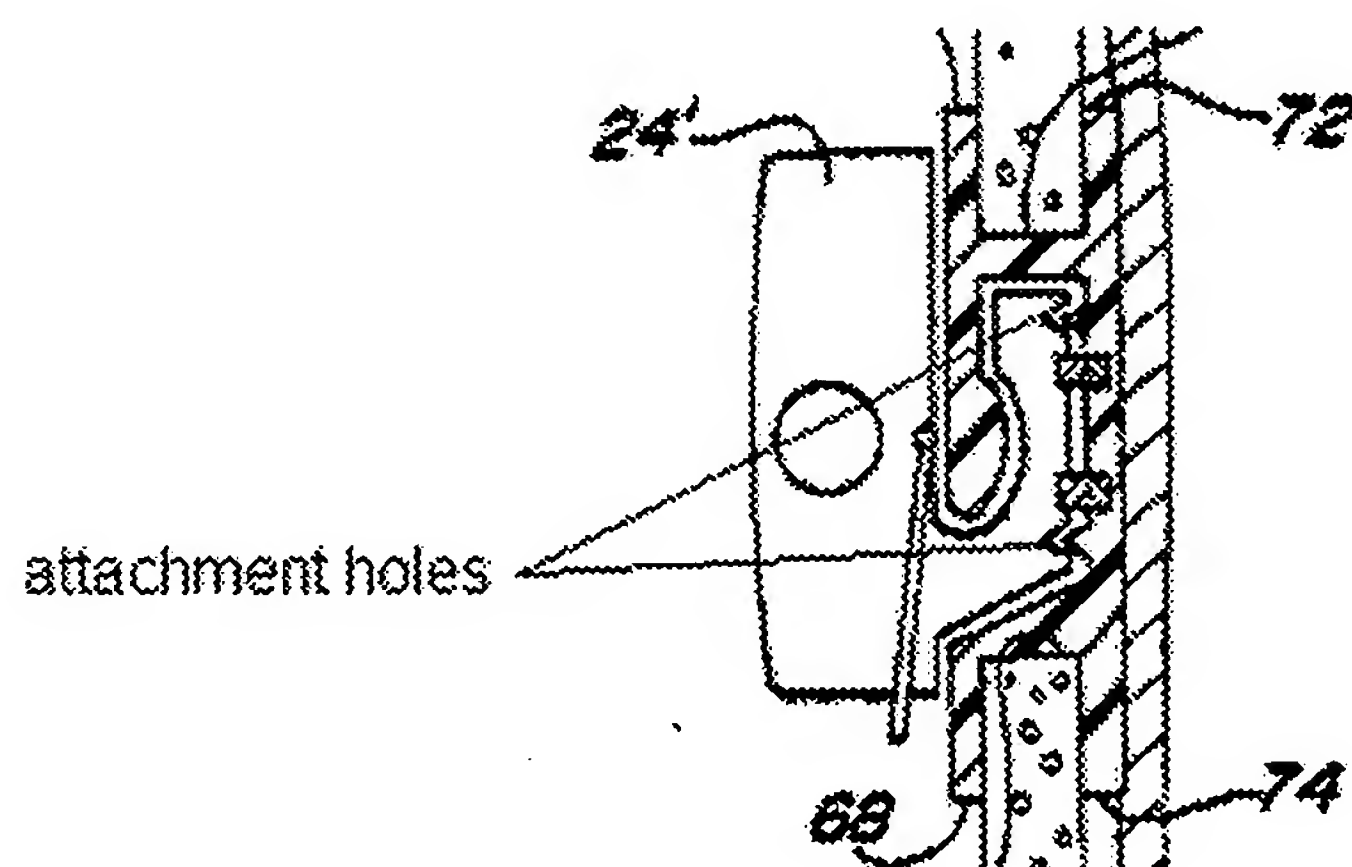
Regarding claims 2 and 3, Dutta discloses the at least one attachment strip being a single extruded component; comprising at least one flange (not labeled, Figs. 2 and 3) that covers at least a portion of the at least one electrically conductive strip.

Regarding claim 6, Dutta discloses the at least one attachment strip applying pressure on the at least one modular connector to maintain electrical contact between the at least one electrically conductive strip and the at least one modular connector.

Regarding claim 7, Dutta discloses the at least one electrically conductive strip comprising a positively charged electrically conductive strip (50) and a negatively charged electrically conductive strip (52).

Regarding claim 12, Dutta discloses the plurality of electrical contacts being slidable along the at least one electrically conductive strip.

Regarding claim 14, Dutta discloses the at least one modular connector comprises at least one insulator separating the plurality of electrical contacts; and the insulator comprising a plurality of module attachment holes (see the following figure).



Regarding claim 16, Dutta discloses a vehicle overhead console comprising: at least one track (62); a plurality of overhead console modules (24) transitional and position interchangeable along the at least one track; and at least one vehicle overhead module powerstrip assembly (54,56) comprising: at least one overhead attachment strip (18) configured to couple to a vehicle overhead structure; at least one electrically conductive strip (50,52) coupled to the at least one attachment strip; and a plurality of removable and modular connector (at 54,56) coupled to the overhead modules and comprising a plurality of electrical contacts (54,56) having a plurality of attachment positions along the at least one electrically conductive strip, the plurality of modular connector configured to couple and allow separation of the plurality of overhead electronic modules (col.4 lines 28-29) to and from the at least one electrically conductive strip.

Regarding claim 17, Dutta discloses the at least one overhead attachment strip being coupled to the at least one track via at least one fastening device (70).

Regarding claim 18, Dutta discloses the at least one electronic module having an infinite number of module positions relative to the track (Fig.1) and receives power from the at least one electrically conductive strip in each of the module positions.

Regarding claim 23, Dutta discloses the modules comprising a plurality of electronic modules.

Regarding claim 24, Dutta discloses a vehicle overhead console comprising: at least one track (62); at least one vehicle overhead console module powerstrip assembly (54,56) coupled to said at least one track and comprising; at least one overhead

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attachment strip (18) configured to couple to a vehicle overhead structure; and at least one electrically conductive strip (50,52) coupled to said at least one attachment strip; and a plurality of overhead modules (24) transitional, removable, and position interchangeable along said at least one track and comprising at least one modular connector (at 54,56) having at least one electrical contact for coupling to said at least one electrically conductive strip.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Tiesler et al. (US 6,575,528).

Dutta discloses substantially the claimed invention except for the location of the strip. Tiesler teaches the use of a strip along a longitudinal centerline of a vehicle, thus improving accessibility of the modules. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the strip of Dutta along a longitudinal centerline, as taught by Tiesler, to improve accessibility of the modules.

Regarding claims 21 and 22, Tiesler teaches the use of a variety of modules, such as audio and video modules. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the assembly of Dutta with

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different types of modules, as taught by Tiesler, to provide a secure and versatile positioning of the modules.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Woertz (US 3,603,918).

Dutta discloses substantially the claimed invention except for the spring loaded ground contact. Woertz teaches the use of a spring loaded ground contact to provide reliable grounding to the connector (claim 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the connector of Dutta with spring loaded ground contact, so as to compress when in contact with a ground strip, as taught by Woertz, to provide reliable grounding to the connector.

Claims 4, 10, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dutta in view of Laser (US 3,569,899).

Regarding claim 4, Dutta discloses substantially the claimed invention except for the flexible flange that flexes outward. Laser teaches the use of a flexible flange (26) that flexes outward when the connectors are removed to at least partially cover and prevent access to the conductive strip, thus protecting the conducting strip. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a flexible flange, as taught by Laser, to protect the conductive strip.

Regarding claims 10-13, Dutta discloses substantially the claimed invention except for plurality of channels/center member/spreading resistance. Laser teaches the



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use of a plurality of channels (9,10) with a center member (8); and at least one electrical conductive strip comprising a power strip and a ground strip, the ground strip being coupled to and extending along the center member, and the contacts (46,47) having a spreading resistance, thus providing a secure holding of the connector. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to form the attachment strip and contacts of Dutta, as taught by Laser, to provide a secure holding of the connector.

Additionally, on claim 13, it would have been obvious to one of ordinary skill in the art at the time the invention was made to form the power strip along the main member in order to satisfy preferred design requirements, and since it has been held that rearranging parts of an invention involves only routine skill in the art. *In re Japikse*, 86 USPQ 70.

### ***Response to Arguments***

Applicant's arguments filed 05/05/2006 have been fully considered but they are not persuasive.

In response to Applicant's argument that Dutta does not disclose multiple modules, please see col. 2 lines 55-57.

Applicant's arguments with respect to claim 4 have been considered but are moot in view of the new grounds of rejection.

In response to Applicant's argument that "the indents [of Dutta] are not attachment holes in that they are not use to attach the portion 48 to the track 18", please note that they attach and retain the portion (48) to the track.



In response to Applicant's argument that Dutta fails to disclose that the modules are interchangeable, please note the fact that applicant has recognized an advantage (not expressly stated) which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

In response to applicant's argument that it would not have been obvious to combine Dutta and Tiesler, because Tiesler does not provide electrical contract or electrical supply for the modules, please note that the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Applicant's arguments with respect to claims 9-11 and 13 have been considered but are moot in view of the new grounds of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Felix O. Figueroa whose telephone number is (571) 272-2003. The examiner can normally be reached on Mon.-Fri., 10:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on (571) 272-2800 Ext. 33. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Felix O. Figueroa  
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